

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24757 of 2022

Arising Out of PS. Case No.-60 Year-2018 Thana- JANTA BAZAR District- Saran

MUNNA SINGH Son of Suresh Singh Resident of village - Senduwara, P.S.-
Janta Bazar, District - Saran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ajit Kumar Singh, Advocate
For the Opposite Party/s : Mr.Asha Devi, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 30-08-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect(s), if any, as pointed out by the
office, be removed within four weeks.

The case is registered under sections 188, 272, 273,
34 of the Indian Penal Code read with section 30, 38, 41, and
66 of the Bihar Prohibition and Excise Act, in connection with
Janta Bazar P.S. Case No. 60 of 2018.

As per the allegation in the FIR, the police on
patrolling duty found/recovered/seized 353 liters of English
wine kept near the field of Rakesh Sah. Accordingly, the same
were seized, seizure list prepared and the FIR was lodged.

Learned counsel for the petitioner submits that
recovery is near the field of co-accused Rakesh Sah. Neither the



petitioner has been apprehended from the place of occurrence nor anything has been attributed to him and only because the local 'Chouwkidar' inimical to him named him as one of the person who escaped from the place of occurrence, he has been implicated in this case for which he has already suffered by being in jail since 18.2.2022 (as stated in para-15 of the bail application).

Considering the aforesaid fact as also that he is in custody since 18.2.2022, the recovery is near the field of co-accused Rakesh Sah and the charge-sheet stands submitted, this Court is inclined to grant him the privilege of bail with condition in view of the fact that he has criminal antecedent.

Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned Additional District and Sessions Judge-Xth Special Excise Court, Saran at Chapra, in connection with Janta Bazar P.S. Case No. 60 of 2018 subject to the following conditions:

- (i) one of the bailors should be the family members of the petitioner, who shall provide official document to show his/her bona fide;
- (ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(iii) he shall appear before the concerned police station every fortnight for next six months to mark his presence;

(iv) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

With the aforesaid observations, the bail application is allowed.

(Rajiv Roy, J)

Ravi/-

U		T	
---	--	---	--

